



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,906	11/27/2001	Jax B. Cowden	10005.000120	7660

31894 7590 05/15/2006
OKAMOTO & BENEDICTO, LLP
P.O. BOX 641330
SAN JOSE, CA 95164

EXAMINER

DIVECHA, KAMAL B

ART UNIT	PAPER NUMBER
----------	--------------

2151

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/993,906

Applicant(s)

COWDEN ET AL.

Examiner

KAMAL B. DIVECHA

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Claims 1, 3-9 are pending in this application.

Applicant's arguments with respect to claims 1, 3-9 have been considered but are moot in view of the new ground(s) of rejection.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 1, 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over InfoWorld Publishing Co. (hereinafter InfoWorld, "Release Software and Demo 97 Demoletter to Provide Real Demos online", pp. 1-2, February 5, 1997) in view of Quarterdeck.

As per claim 7, InfoWorld discloses a method to be performed in a computer, the method comprising: installing a computer program (read as a demo or trial version of the

Art Unit: 2151

software) in the computer, the computer program being partially disabled as installed; informing or demonstrating the efficacy or usefulness of the computer program to a user; offering the computer program to the user after installing of the computer program in the computer and providing the computer program to the user after the user accepts the offer (pg. 1 paragraph #3), however InfoWorld does not explicitly disclose a process of informing the user of usefulness of the computer program when the user tries to uninstall the computer program after accepting the offer.

Quarterdeck explicitly discloses the process of informing the user of the usefulness of the program or file when the user tries to uninstall the program or file (page 9: selecting and clicking on a file or program provides the description and usefulness of program).

Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify InforWorld in view of Quarterdeck in order to inform the user of the usefulness of the computer program when the user tries to uninstall the computer program after accepting the offer.

One of ordinary skill in the art would have been motivated because it would have enabled the users to make an informed decision by displaying the description and recommendation of the application and/or software.

As per claim 4, InfoWorld discloses the process of activating the full version of computer program after the demo or trial version expires and user purchases the software (pg. 1 paragraph #3).

As per claim 1, it does not teach or further define over the limitations in claims 7 and 4. Therefore claim 1 is rejected for the same reasons as set forth in claim 7 and 4.

Art Unit: 2151

2. Claims 3, 6, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over InfoWorld Publishing Co. (hereinafter InfoWorld, "Release Software and Demo 97 Demoletter to Provide Real Demos online", pp. 1-2, February 5, 1997) in view Quarterdeck and further in view of Humes (U. S. Patent No. 5,996,011).

As per claim 3, InfoWorld in view of Quarterdeck does not explicitly disclose the process of informing the user a number of a type of window detected by the computer program.

Humes discloses the process of displaying the forbidden page to the user when the web page is filtered wherein the forbidden page includes or provides information such as the total score for the page and wherein a score is the variable which keeps track of the total score of the URL being detected and filtered (fig. 3, col. 2 L31 to col. 3 L22, col. 4 L10-20, col. 6 L7-16 and col. 7 L60-65).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to incorporate the teaching of Humes with InfoWorld and Quarterdeck in order to inform a user a number of type of window detected by the computer program.

One of ordinary skilled in the art would have been motivated because it would have employed a mechanism for tracking the total score (i.e. the number) of the filtered windows (Humes, col. 6 L15-17).

As per claim 6, InfoWorld in view of Quarterdeck does not explicitly disclose the process wherein the computer program includes a window-blocking computer program.

Humes discloses a window-blocking computer program (col. 2 L31 to col. 3 L22, col. 4 L10-20).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify InfoWorld and Quarterdeck in view of Humes in order to distribute the window-blocking compute program, since Humes discloses the window-blocking computer program.

One of ordinary skilled in the art would have been motivated because it would have output to the client computer only those web pages, which are deemed appropriate for viewing by the user of the client computer and block or filter others that are not deemed appropriate (Humes, col. 4 L51-58).

As per claims 8-9, they do not teach or further define over the limitation in claims 3, 6. Therefore, claims 8-9 are rejected for the same reasons as set forth in claims 3, 6.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over InfoWorld Publishing Co. (hereinafter InfoWorld, "Release Software and Demo 97 Demoletter to Provide Real Demos online", pp. 1-2, February 5, 1997) in view of Quarterdeck, and further in view of Cinecom (hereinafter Cinecom, document #1043564).

As per claim 5, InfoWorld in view of Quarterdeck does not disclose the process wherein the act of providing the computer program to a user includes downloading components of the computer program from a remote computer.

Cinecom discloses the process of downloading trial and demo software to purchase full, registered versions by downloading complete versions of the application from the remote computer (Cinecom, pg. 1 paragraph 3).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify InfoWorld in view of Quarterdeck and further in view of Cinecom, in order to download the components of the compute program from a remote computer, since Cinecom teaches the process of downloading trial or demo versions and downloading the complete versions of the software.

One of ordinary skilled in the art would have been motivated so that the complete versions of the software would have been provided to the users (Cinecom, pg. 1 paragraph 3).

Additional References

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see also PTO-892 dated 1/20/2006).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2151

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAMAL B. DIVECHA whose telephone number is 571-272-5863. The examiner can normally be reached on Increased Flex Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kamal Divecha
Art unit 2151
May 11, 2006.


ZARNI MAUNG

SUPERVISORY PATENT EXAMINER